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United States
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SERIAL: GDP 96-0186

Mr. John C. Hoyle
Secretary
United States Nuclear Regulatory Commission
Attention: Docketing and Service Branch
Washington, D.C. 20555-0001

Paducah Gaseous Diffusion Plant (PGDP)
Portsmouth Gaseous Diffusion Plant (PORTS)
Docket Nos. 70-7001 & 70-7002
USEC Response to "Kwanitewk" Petition for Commission Review of Director's Decision

Dear Mr. Hoyle:

The Nuclear Regulatory Commission (NRC) has received a letter dated September 28, 1996 signed by "Neilly Buckalew" on letterhead of "Kwanitewk NATIVE Resource/Network, Meriden NH" petitioning, among other things, for Commission review of the Director's Decision on the certificates of compliance for the Portsmouth, Ohio and Paducah, Kentucky gaseous diffusion plants. The United States Enrichment Corporation (USEC) has reviewed that document and has concluded that it is virtually identical to the petition for Commission review previously submitted by "Portsmouth-Piketon Residents for Environmental Safety and Security" or "PRESS." Indeed the "Kwanitewk" petition appears to be a copy of the PRESS petition reproduced on "Kwanitewk" letterhead and with only a few minor alterations to the text.

USEC's response to the "Kwanitewk" petition pursuant to 10 CFR § 76.62(c) is provided in this letter and in USEC's October 15, 1996 "Response to 'PRESS' Petition for Commission Review of Director's Decision" which we are hereby incorporating by reference. A copy of our response to PRESS' petition is enclosed for your convenience. For the reasons set forth in our response to the PRESS petition, "Kwanitewk's" petition should also be denied.

In addition, we wish to call to the NRC's attention two particular aspects of the Kwanitewk petition which make it even less worthy of merit than the PRESS petition. First, the "Kwanitewk" petition is expressly submitted on behalf of "the people we are working with of whom we will allow to remain anonymous." "Kwanitewk" Petition at p.1. It should be abundantly clear that a petition submitted on behalf of anonymous parties cannot possibly establish a sufficient basis for legal standing under either NRC requirements or applicable judicial concepts of standing. See attached USEC Response to PRESS Petition at pp. 2-3. Second, even if the NRC construes the petition to have been filed on behalf of "Kwanitewk," the listed address for that organization is Meriden, New Hampshire. New Hampshire is clearly outside the area that could even be remotely affected by the gaseous

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diffusion plants. Therefore, residence in New Hampshire is not sufficient to confer standing under 10 CFR § 76.62(c) to petition for Commission review of the Director's Decision on the certification of the Portsmouth and Paducah plants. See enclosed USEC Response to PRESS Petition at p.3. "Kwanitewk" has made no effort to demonstrate its standing in this matter and its petition falls far below NRC standards in that regard.

Therefore, for the reasons set forth in this letter and in the enclosed response to the PRESS petition, the "Kwanitewk" petition should be denied, and the Director's Decision on USEC's certificate of compliance applications should be permitted to become final and effective on November 18, 1996.

If you have any questions, please call me at (301) 564-3413.

Sincerely,



Robert L. Woolley
Nuclear Regulatory Assurance and Policy Manager

Enclosure: United States Enrichment Corporation Response to "PRESS" Petition for
Commission Review of Director's Decision

cc: Dr. Carl J. Paperiello, NRC
NRC Region III Office
NRC Resident Inspector - PGDP
NRC Resident Inspector - PORTS
Mr. J. Dale Jackson (DOE)